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PETITIONS OFFICE

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(703) 816-**FACSIMILE COVER SHEET**
PLEASE DELIVER IMMEDIATELY!!!!Our Ref.: 249-159
Serial No: 10/084,615 Date: May 30, 2002To: Mr. Shanoski
Firm: U.S. Patent Office
Facsimile No.: 703 308 6916
From: A. R. CrawfordNumber of Pages (including cover sheet): 7
(IF YOU DO NOT RECEIVE ALL OF THE PAGES OR ENCOUNTER DIFFICULTIES IN TRANSMISSION,
PLEASE CONTACT US IMMEDIATELY AT (703-816-4000).Esther
FACSIMILE OPERATOR

ATTACHMENT/S:

MESSAGE:

As requested in a telephone conversation with my secretary this morning, attached is a copy of the Petition to the Commissioner Under 37 CFR §1.182 to Convert Request for Continued Prosecution Application to Request for Divisional Application and attached postcard receipt of CPA filed January 29, 2001 filed February 28, 2002 and a copy of the postcard receipt of February 28, 2002.

Please advise me if the Petition to Convert has been approved.

Thank you.

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AS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Attention: Office of Assistant Commissioner for Patents

YAMASAKI et al

Atty. Ref.: 249-159

Serial No. to be assigned

Filed: January 29, 2001

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For: PLATELET PRODUCTION PROMOTING AGENT

MAY 30 2002

* * * * *

PETITIONS OFFICE

February 28, 2002

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

PETITION TO THE COMMISSIONER UNDER 37 C.F.R. § 1.182
TO CONVERT REQUEST FOR CONTINUED PROSECUTION
APPLICATION TO REQUEST FOR DIVISIONAL APPLICATION

On January 29, 2001 papers were filed in the Office for a new divisional application from application Serial No. 08/696,988 filed August 16, 1996. This new divisional application included 63 pages of specification, claims and abstract, 19 claims, copies of the Declaration from the then pending application, a Preliminary Amendment replacing original claims 1 through 14 with claims 15-33 and an Information Disclosure Statement. Attached are true and correct copies of the papers filed on January 29, 2001 as well as a copy of the post card receipt evidencing this filing.

The Preliminary Amendment filed with the original application papers indicates in the remarks portion "This is a division of earlier application Serial No. 08/696,988 filed August 16, 1996" on which the issue fee has been paid. A similar indication of a divisional application appears in the heading of this Preliminary Amendment.

Adjustment date: 01/07/2004 AKELLEY
 01/07/2002 SFELEKE1 00000051 10084615
 01 FC:101 -740.00 OP
 02 FC:105 -130.00 OP

01/07/2004 AKELLEY 00000004 10084615
 01 FC:1460
 30.00 OP
 Repl'n. Ref: 01/07/2004 AKELLEY 000810140
 DAH:141140 Name/Number:10084615
 FC: 9204 \$660.00 CR
 Repl'n. Ref: 01/07/2004 AKELLEY 000811000
 DAH:141140 Name/Number:10084615
 FC: 9204 \$80.00 CR

YAMASAKI et al
Serial No. to be assigned

The transmittal sheet accompanying the divisional application papers referred to 37 C.F.R. 1.53(d) which is otherwise known as a Continued Prosecution Application. In fact, counsel intended the application to be submitted under 37 C.F.R. 1.53(b) a divisional application.

Application Serial No. 08/696,988 issued as U.S. patent 6,245,900 on June 2, 2001.

Attached is a request for filing under Rule 53(b).

Petition is hereby made to treat the January 29, 2001 Continued Prosecution Application filing request under Rule 53(d) as a request under Rule 53(b) for a divisional application

Initial filing fees were paid with the papers submitted on January 29, 2001. If additional fees are required, including the fee to have this petition considered, authorization is hereby given to charge them to Deposit Account No. 14-1140.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By: 

Arthur R. Crawford

Reg. No. 25,327

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1100 North Glebe Road, 8th Floor
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PETITION'S OFFICE

New Patent Application Div of

Ser. No. 08/696,988

Atty: Arthur R. Crawford

Serial No.: to be assigned

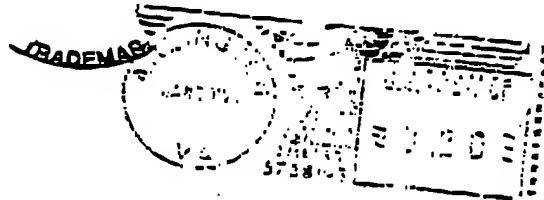
Date: January 29, 2001

Inventor/s: YAMASAKI et al

C#/M#: 248-159

Title: PLATELET PRODUCTION PROMOTING AGENT

XX Amendment Preliminary
63 Pages Specification, Claims & Abstract
19 Claims
XX Sheets of Drawings
XX Declaration (2 Pages)
Assignment (Pages) Including Cover
Priority Document(s)
Base Issue Fee Transmittal
\$790.00 Fee (Check)
Other: IDS



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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
REQUEST FOR FILING APPLICATION UNDER 37 C.F.R. 1.53(b)
WITHOUT FILING FEE AND/OR WITHOUT EXECUTED INVENTOR'S DECLARATION**

Assistant Commissioner for Patents
Washington, DC 20231

Atty. Dkt. 249-159

Date: January 29, 2001

Sir:

This is a request for filing a new PATENT APPLICATION under Rule 53(b) entitled:
PLATELET PRODUCTION PROMOTING AGENT
without a filing fee and/or without an executed inventor's oath/declaration.

This application is made by the below identified inventor(s). Attached hereto are the following papers:

- ☐ Newly executed Declaration, ☒ Copy of Declaration from prior application, ☒ Abstract
63 pages of specification and claims (including 19 numbered claims), and
☒ Priority is hereby claimed under 35 U.S.C. § 119 based on the following foreign applications:

Application Number	Country	Day/Month/Year Filed
Hei 6-25735	Japan	23 February 1994
PCT/JP95/00266		23 February 1995

, respectively, the entire content of which is hereby incorporated by reference in this application..

- ☒ Certified copy(ies) filed on _____ in prior application no. 08/696,988 filed Aug. 16, 1996
☒ Please amend the specification by inserting the following paragraph before the first line: --This application is a division of Application No. 08/696,988, filed August 16, 1996, now U.S. 6,245,900, the entire content of which is hereby incorporated by reference in this application.--
☒ The prior application is assigned to Kyowa Hakko Kogyo Co., Ltd.,
☒ It is hereby requested that the Examiner consider the art cited in the above parent application(s) by applicant and/or the Examiner for the reasons stated therein. A listing of that art is attached, but pursuant to Rule 98(d) copies are not required.
☒ Please enter the attached and/or below preliminary amendment prior to calculation of filing fee:

- ☒ Also attached: Petition to the Commissioner under 37 C.F.R. § 1.182 to Convert Request for Continued Prosecution Application into Request for Divisional Application and Information Disclosure Statement

- Inventor: Motoo Yamasaki Japan
(first) (last) (citizenship)
Residence: (city) Tokyo (state/country) Japan
Mailing Address: 3-9-13, Naka-machi, Machida-shi, Tokyo, Japan
(Zip Code) 194
- Inventor: Masami Okabe Japan
(first) (last) (citizenship)
Residence: (city) Shizuoka (state/country) Japan
Mailing Address: 30-5, Kamo, Mishima-shi, Shizuoka, Japan,
(Zip Code) 411

☒ See attached sheet(s) for additional inventor(s) information!!

Address all future communications to NIXON & VANDERHYE P.C.,
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NIXON & VANDERHYE P.C.
By Atty: Arthur R. Crawford, Reg. No. 25,327

Signature: 

Serial No.

Inventor: Toshiyuki (first) MI Suzawa (last) Japan (citizenship)
Residence: (city) Kanagawa (state/country) Japan
Mailing Address: 1734-102, Shimotsuruma, Yamato-shi, Kanagawa, Japan
(Zip Code) 242

4. Inventor: Ken (first) MI Kobayashi (last) Japan (citizenship)
Residence: (city) Tokyo (state/country) Japan
Mailing Address: 3-9-10, Naka-machi Machida-shi, Tokyo, Japan
(Zip Code) 194

5. Inventor: Kumiko (first) MI Maruyama (last) Japan (citizenship)
Residence: (city) Shizuoka (state/country) Japan
Mailing Address: 1198-1, Shimatogari, Nagaizumi-cho, Sunto-gun, Shizuoka, Japan
(Zip Code) 411

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MAY 30 2002

PETITIONS OFFICE

Serial No.: to be assigned
Inventor/s: YAMASAKI et al

C#/M#: 249-159
Atty: Arthur R. Crawford
Date: Feb. 27, 02

Title: PLATELET PRODUCTION PROMOTING AGENT

Petition re Convert CPA to Divisional

\$ Fee (Check) - Pre-Bill

\$ Fee (Check) - Non Pre-Bill

\$0.00 Total Fee Enclosed

Other: Cover sheet for Div. app



PET. TO CONVERT
TO DIVISIONAL